

MIDDLETOWN TOWN COUNCIL
MEETING MINUTES
April 9, 2012

The Middletown Town Council Meeting was held in the Council Chamber, 7875 Church Street, Middletown, VA on Monday, April 9, 2012 at 7:00 pm.

Town Council Present

Mayor Charles Harbaugh, IV
Councilor Trip Chewning
Councilor Tom Simon
Councilor Mark H. Davis
Councilor Donna M. G. Gray

Staff Present

Rebecca L. Layman, Municipal Clerk
Donald Riffey, Superintendent of Public Works
R. Philip Breeden, Chief of Police
Joan Roche, Town Manager

Town Attorney

1. Call to Order

Mayor Harbaugh called the meeting to order at 7:00 p.m.

2. Moment of Silence

Mayor Harbaugh called for a moment of silence.

3. Pledge of Allegiance

Mayor Harbaugh led those present in the Pledge of Allegiance.

4. Roll Call

All Councilors were present.

5. Set Agenda.

Councilor Davis added item 9F to the agenda, appointment of the liaison to the county boundary adjustment steering committee.

6. Citizen Comments.

Gil Barrington 2190 First Street; Mr. Barrington stated that the volunteer firefighters are required to have a background check and that is generally a light check where they check the criminal record only. We also request that of other people in our organization and he feels that it is time, that given the shadow that is over this Town that the Council members and Mayor do the very same thing and get a background check. The only thing that would be required would be a criminal background check anything beyond that is going too far. The employees have to do it and so should the Council and Mayor.

Mark Brown 7994 Main Street; **(please see attached)**

7. Approval of Previous Council Meeting Minutes

Councilor Gray made a motion to approve the minutes from the March 12, 2012 town council meeting. Councilor Davis seconded the motion. All Councilors were in favor and the minutes were approved.

8. Report of the Facilities Committee

Councilor Davis had nothing to report.

9. Report of the Personnel and Finance Committee

a. Treasurer's Report given by Sharon Fadely

b. Presentation of the bills

Councilor Davis made a motion to pay the bills. Councilor Gray seconded the motion. All Councilors were in favor. Motion approved to pay the bills.

c. Roll call vote to pay Marshall Brown, Gilbert Barrington, and John Blaisdell for one half of monthly salary for March 2012. Mark Brown stated it was only 12 days and comes out to be around \$70.00. Mayor Harbaugh asked for a roll call vote.

Councilor Davis – Yes

Councilor Gray – Yes

Councilor Simon – Yes

Councilor Chewning – Yes

d. Committee Assignments

Mayor Harbaugh will postpone the Committee assignments until the next Committee meeting when the Town has a full Council.

e. Appointment of Mark Davis to be the Planning Commission Liaison.

Councilor Gray made a motion to appoint Mark Davis to be the Planning Commission Liaison. Councilor Simon seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Davis – Yes

Councilor Gray – Yes

Councilor Simon – Yes

Councilor Chewning – Yes

Motion carried 4-0

f. Appointment of Mark Davis to be the Boundary Adjustment Liaison. Councilor Gray made a motion that Mark Davis be appointed to the Boundary Adjustment/Steering Committee Liaison. Councilor Simon seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Davis – Yes

Councilor Gray – Yes

Councilor Simon – Yes

Councilor Chewning – Yes

Motion carried 4-0

Councilor Davis stated that despite some assertions, the boundary adjustment effort that the Town of Middletown is going through with the County is ongoing and is not dead and is not stalled, just temporarily halted until we have a full complement of government officials again. County has indicated that they are willing to pick up where we left off as soon as the Town is ready, and that is the Town's intention. Councilor Davis stated he will assume the role of starting up discussions again between property owners and County officials to get this moving.

10. Report of the Public Works Committee

No report at this time.

11. Report of Public Safety Committee

Report of the Police Department given by Chief Breeden (attached).

12. Report of the Ordinance Committee

Councilor Gray had nothing to report.

13. Report of the Planning and Zoning Committee

Councilor Davis had nothing to report.

14. Report of Special Committees

The next July 4th meeting will be April 18 @ 7:00 p.m.

The Car Show will be on June 2, 2012 @ the Town Park

15. New or Unfinished Business

Next Committee Meeting will be April 17, 2012 @ 7:00 p.m.

Next Work Session Meeting will be May 7, 2012 @ 7:00 p.m.

16. Petitions and Communication

Mayor Harbaugh had a letter of resignation from Councilor Carl Bernhards. Mayor Harbaugh stated from the letter that personal matters require Mr. Bernhards take this action.

Mayor Harbaugh gave the opportunity to the new Council members to speak at their first meeting. Councilor Simon had no comment at the time. Councilor Chewning stated that he feels like he is lost at sea at this point, there is so much that you have to ingest and try to understand and it will take a long time for that to happen. Councilor Chewning stated that he is on Council now because he is concerned about the Town of Middletown and he wants to do what he can to get the Town back to respectability there are many areas that need to be addressed. This can be done with all the employees and Councils working together and act a little bit more cordially then has been in the past. The golden rule is an ethical statement which is common to almost every religion, belief and faith in the world and he feels we need to start living by that. Councilor Chewning stated as Lemony Snick It would say we have had a series of unfortunate events. Councilor Chewning stated that he did not know if he will be effective at all and only time will tell that, but he knows that he is going to try as hard as he can to be an effective Councilor.

Town Manager Joan Roche stated that the House Bill 1243 which was the Bill that moved the Middletown Elections from May to November was signed by the Governor on April 5, 2012 and it is final the Middletown Election is now in November.

Mayor Harbaugh stated that the vacant seat on the Council was going to be voted on this evening and would like to give the candidates a chance to speak before the voting takes place. Kathy Cordero stated she was very interested in joining the Town Council and bringing Middletown back to where it belongs with integrity and respect. John Copeland stated that he is whole hardly agrees with Councilor Chewning about the points he made earlier and Mr. Copeland's feels his background lends itself with having served as a Councilor and a Mayor. Mr. Copeland feels that working together the Town can accomplish the goals including the budget. Todd Nuri was not in attendance for the meeting to speak. Gerald Sinclair stated that he has been on Council for 16 years, and he would like the opportunity to work with the Council again. Councilor Davis stated that Carole Snyder was an applicant as well, but has withdrawn her name. Councilor Davis stated that the voting will be the same as last time which is to write down the preference with a number and the name with the highest score will fill the Council seat. Councilor Davis stated that there has been some confusing as to if this is the proper way to select a Councilor, and we have double checked with our legal advice that has been available to us and we have been assured that it is all proper and legal the only thing that we did last time and probably could have done a little bit better is we neglected to save the pieces of paper that had the preferences specified on we do have the final ones in our records, but not the others ones. Mayor Harbaugh stated that with a point total of 15 John Copeland has been selected to fill the vacant seat. Councilor Davis made a motion that John Copeland be appointed

to fill the vacant Council seat. Councilor Chewning seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Davis – Yes
Councilor Simon – Yes

Councilor Gray – Yes
Councilor Chewning – Yes

Motion carried 4-0

Mr. Copeland thanked the Council members and looks forward to working with each and every one of them.

17. Adjournment

Mayor Harbaugh adjourned the meeting at 7:30 p.m.

Charles H. Harbaugh IV, Mayor

Rebecca L. Layman
Town Clerk